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असाधारण

EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में निम्न गूठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF PETROLEUM, CHEMICALS, MINES AND METALS

(Department of Mines & Metals)

ORDERS

New Delhi, the 20th March 1970

S.O 1103.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following order, namely:—

1. **Short title, extent and commencement.**—(1) This order may be called The Aluminium (Control) Order, 1970.

(2) It extends to the whole of India, except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. **Definitions.**—In this order, unless the context otherwise requires,—

(a) “aluminium” means aluminium in any of the forms specified in the Schedule and includes manufactures and semi-manufactures thereof;

(b) “Controller” means a person appointed by the Central Government to be the Controller of Aluminium for the purposes of this order;

(c) “dealer” means any person, who carries on the business of buying or selling aluminium metal and manufactures and semi-manufactures of aluminium metal, whether or not in conjunction with other business and includes a producer or manufacturer thereof;

(d) “manufacturer” means any person licensed or registered under the Industries (Development and Regulation) Act, 1951 (65 of 1951) who manufactures aluminium;

(e) “producer” means any person licensed or registered under the Industries (Development and Regulation) Act, 1951 (65 of 1951) who produces aluminium from bauxite or alumina;

- (f) "sale price" means the ex-factory price payable to a manufacturer or producer or dealer as consideration for the sale of aluminium inclusive of dealer's commission, but exclusive of excise duties, Central Sales Tax or local taxes, if any, and also exclusive of transportation charges or insurance charges, if any;

(g) "Schedule" means the Schedule appended to this order.

3. Control of sale price.—No producer or manufacturer or dealer or any other person shall sell or agree to sell or otherwise dispose of aluminium at a sale price exceeding the sale price to be fixed in pursuance of clause 4.

4. Fixation of sale price.—The Central Government or the Controller may, having regard to the estimated cost of production of aluminium produced or manufactured in India, fix from time to time, by notification in the Official Gazette, the sale price of aluminium so produced or manufactured, and different sale prices may be fixed in respect of aluminium of different sizes or specifications produced or manufactured in India or in respect of aluminium produced or manufactured in different areas or different factories in India.

5. Power to regulate sale of aluminium.—The Central Government may, by notification in the Official Gazette, direct that the producers or manufacturers or dealers shall sell aluminium only to such person or persons or companies as may be specified by the Controller or such other officer as may be authorised by the Central Government in this behalf.

6. Price list to be displayed at the place of business.—Every producer or manufacturer or dealer shall display at a conspicuous part of the premises, where he carries on his business in aluminium, a list of sale prices of the various items kept for sale, in such a manner as to be easily accessible for consultation by any customer, visiting the premises.

7. Producer, manufacturer or dealer not to withhold sale.—No producer, manufacturer or dealer shall withhold from sale aluminium produced or manufactured in India and ordinarily kept for sale.

8. Powers to give directions and call for information.—The Controller, or such officer of the Central Government or of the State Government as may be authorised by the Central Government in this behalf may, by order,—

- (a) direct any producer or manufacturer or dealer to maintain such records relating to the production or manufacture or purchase or sale or other transaction, as the case may be, of aluminium, as the Controller or the officer authorised in this behalf may specify in the order;
- (b) specify the manner in which a producer, manufacturer or dealer shall keep accounts of any production, manufacture, purchase, sale or other transaction, as the case may be, of aluminium;
- (c) require any producer or manufacturer or dealer, to furnish within such period or at such intervals, such information, returns or reports relating to the production, manufacture, purchase or sale or other transaction, as the case may be, of aluminium in such forms as may be specified in the order.

9. Powers of inspection, entry and search.—The Controller, or such officer of the Central Government or of the State Government, as may be authorised by the Central Government in this behalf, may,—

- (a) inspect or authorise any person to inspect—
 - (i) any books, accounts or records relating to the production or manufacture of aluminium and belonging to or under the control of a producer or manufacturer,
 - (ii) any books, accounts or records relating to the purchase, sale or other transaction in aluminium and belonging to or under the control of a dealer,
 - (iii) any stocks of aluminium belonging to or under the control of any producer, manufacturer or dealer;
- (b) enter or search or authorise any person to enter or search any premises where aluminium is produced, manufactured or sold or where the Controller or the officer authorised in this behalf has reason to believe that a contravention of this order in respect of the aluminium has been, is being or is about to be committed.

10. Compliance of orders.—Every producer, manufacturer or dealer or any other person, to whom any order or direction is issued under any powers conferred by or under this order shall comply with such order or direction.

11. Appeal.—Any producer, manufacturer or dealer or any other person aggrieved by any order or direction issued under this order, may, within 30 days from the date of receipt of a copy of such order or direction, prefer an appeal to the Central Government and thereupon the Central Government may confirm, reverse or modify such order or direction.

SCHEDULE

(See Clause 2)

1. Aluminium unwrought in any form, including ingots, bars, blocks, slabs, billets and shots.

2. Aluminium wrought, including plates, sheets, corrugated sheets, circles, strips, pipes, tubes, extruded shapes and sections, rods and foils.

[No. F. 5(28)Met/70(i).]

S.O. 1104.—In pursuance of clause 4 of the Aluminium (Control) Order, 1970 the Central Government hereby fixes the sale prices of aluminium of the different producers, manufacturers or dealers at the ex-factory prices of the different items of the said producers, manufacturers or dealers prevailing on the 28th February, 1970.

[No. F. 5(28)Met/70(ii).]

T. N. LAKSHMINARAYANAN, Jt. Secy.

